

JC07 Rec'd 1 PTO 11 MAR 2002

Customized FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NO. P06795US00/MP
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. <b>10/070823</b>
INTERNATIONAL APPLICATION NO. PCT/EP99/06803	INTERNATIONAL FILING DATE 14 SEPTEMBER 1999	PRIORITY DATE CLAIMED
TITLE OF INVENTION: INSERTION INSTRUMENT FOR AN INTERVERTEBRAL IMPLANT		
APPLICANT(S) FOR DO/EO/US: BEYERSDORFF, Boris et al.		
Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:		
<input checked="" type="checkbox"/> 1. This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> 2. This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 USC 371. <input checked="" type="checkbox"/> 3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1). <input checked="" type="checkbox"/> 4. A proper Demand for International Preliminary Examination was made by the 19 <sup>th</sup> month from the earliest claimed priority date. <input checked="" type="checkbox"/> 5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <input type="checkbox"/> a. is transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> b. has been transmitted by the International Bureau. <input type="checkbox"/> c. is not required, as the application was filed in the United States Receiving Office (RO/US). <input checked="" type="checkbox"/> 6. A translation of the International Application into English (35 U.S.C. 371(c)(2)). <input checked="" type="checkbox"/> 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3)) <input type="checkbox"/> a. are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> b. have been transmitted by the International Bureau. <input type="checkbox"/> c. have not been made; however, the time limit for making such amendments had NOT expired. <input checked="" type="checkbox"/> d. have not been made and will not be made. <input type="checkbox"/> 8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> 10. A translation of the annexes to the Int'l Prelim. Exam. Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <b>Items 11. to 20. below concern document(s) or information included:</b> <input type="checkbox"/> 11. An <b>Information Disclosure Statement</b> under 37 C.F.R. 1.97 and 1.98. <input type="checkbox"/> 12. An <b>Assignment</b> document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> 13. A <b>First preliminary amendment</b> . <input type="checkbox"/> 14. A <b>Second or Subsequent preliminary amendment</b> . <input type="checkbox"/> 15. A <b>substitute specification</b> . <input type="checkbox"/> 16. A <b>change of power of attorney and/or address letter</b> . <input type="checkbox"/> 17. A <b>computer-readable form of the sequence listing</b> in accordance with PCT Rule 13ter.2 & 35 USC 1.821-825. <input type="checkbox"/> 18. A <b>second copy of the published international application</b> under 35 USC 154(d)(4). <input type="checkbox"/> 19. A <b>second copy of the English translation of the international application</b> under 35 USC 154(d)(4). <input type="checkbox"/> 20. <b>Other items or information:</b>  <input type="checkbox"/> <input type="checkbox"/> A copy of the Notification of Missing Requirements under 35 U.S.C. 371. <input type="checkbox"/> In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 17(c).		
Date: 11 March 2002		

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U.S. APPLICATION NO. <i>if known</i> <b>10/070823</b>		INTERNATIONAL APPLICATION NO. PCT EP99/06803		ATTORNEY DOCKET NO. P0679US00 AIP			
<input type="checkbox"/> 21. The following fees are submitted: <input checked="" type="checkbox"/> <b>Basic National Fee</b> (37 CFR 1.492 (a) (1)-(5):				CALCULATIONS <i>(in dollars)</i>			
<input type="checkbox"/> Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO \$1040 <input checked="" type="checkbox"/> Search Report has been prepared by the EPO or JPO \$ 890 <input type="checkbox"/> No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO \$ 740 <input type="checkbox"/> International preliminary examination fee paid to USPTPO \$ 710 <input type="checkbox"/> Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4) \$ 100							
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>						\$ 890	
<input type="checkbox"/> Surcharge of <b>\$130</b> for furnishing the oath or declaration later than from the earliest claimed priority date (37 CFR 1.492(e)).						<input type="checkbox"/> 20 mos. <input type="checkbox"/> 30 mos. + \$	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>				
Total Claims	25 - 20 =	15	X \$18 =			270	
Independent Claims	01 - 03 =		X \$84 =	\$			
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)				+ \$280 = \$			
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1160			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				- \$ 580			
<b>SUBTOTAL =</b>				\$ 580			
<input type="checkbox"/> Processing fee of <b>\$130</b> for furnishing the <b>English translation</b> later than from the earliest claimed priority date (37 CFR 1.492(f)).				<input type="checkbox"/> 20 mos. <input type="checkbox"/> 30 mos. + \$			
<b>TOTAL NATIONAL FEE =</b>				\$ 580			
<input type="checkbox"/> Fee for recording the enclosed <b>assignment</b> (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40</b> per property				+			
<b>TOTAL FEES ENCLOSED =</b>				\$ 580			
<i>Amount to be</i>				<i>Refunded</i>	\$		
				<i>Charged</i>	\$		
<input checked="" type="checkbox"/> a. A <b>check</b> in the amount of \$580.00 to cover the above fees is enclosed. <input type="checkbox"/> b. Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees. <input checked="" type="checkbox"/> c. The Commissioner is hereby authorized to charge any additional fees required or credit overpayment to Deposit Account No. 12-0555.							
<i>Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</i>							
SEND ALL CORRESPONDENCE TO:  <b>MARVIN PETRY</b>  At the address (below) of <b>CUSTOMER NO. 00881.</b>  <b>LARSON &amp; TAYLOR, PLC</b> <b>1199 NORTH FAIRFAX ST.</b> <b>SUITE 900</b> <b>ALEXANDRIA, VA 22314</b>			SIGNATURE: <i>Marvin Petry</i> NAME: Marvin Petry REG. NO.: 22752 PHONE NO.: 703-739-4900 Date: 11 March 2002				